



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☒ Affidavit(s)/Declaration(s)
- iv. ☐ Other _____
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 770.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

{W:\00630\100g703us2\00225624.doc {XXX}}

Attorney Docket No.: 00630/100G703-US2

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. _____ in an envelope addressed to:

EL996121342WS

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on July 27, 2004
Date

J. Santini
Signature

Signature

A. Stuntz

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Amendment Transmittal (1 page);
Response to Advisory Action (2 pages);
Declaration of Mark J. Evans, et al. (15 pages);
Request for Continued Examination (1 page);
Fee Transmittal (1 page);
Return Receipt Postcard (1 page);
Check in the amount of \$770.00



AMENDMENT TRANSMITTAL LETTER				Docket No. 00630/100G703-US2	
Application No. 09/924,946	Filing Date August 8, 2001	Examiner Y. D. Pak	Art Unit 1652		
Applicant(s): Mark Evans et al.					
Invention: A NOVEL MEMBER OF THE LYSYL OXIDASE GENE FAMILY					
TO THE COMMISSIONER FOR PATENTS					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	52	- 55 =		x	0.00
Independent Claims	11	- 11 =		x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity					
<input checked="" type="checkbox"/> No additional fee is required for this amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>04-0100</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
<div>Heather Morehouse Ettinger, Ph.D. Attorney Reg. No.: 51,658</div>				Dated: <u>July 27, 2004</u>	
DARBY & DARBY P.C. P.O. Box 5257 New York, New York 10150-5257 (212) 527-7665					



FEE TRANSMITTAL for FY 2004 <small>Effective 10/01/2003. Patent fees are subject to annual revision.</small>		Complete if Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	09/924,946
TOTAL AMOUNT OF PAYMENT (\$)		Filing Date	August 8, 2001
770.00		First Named Inventor	Mark Evans
		Examiner Name	Y. D. Pak
		Art Unit	1652
		Attorney Docket No.	00630/100G703-US2
METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)	
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		3. ADDITIONAL FEES	
<input type="checkbox"/> Deposit Account: Deposit Account Number: 04-0100 Deposit Account Name: Darby & Darby P.C.		Large Entity Small Entity	
The Director is authorized to: (check all that apply)		Fee Code Fee (\$)	
<input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments		Fee Code Fee (\$)	
<input type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s)		Fee Description	
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		Fee Paid	
FEE CALCULATION			
1. BASIC FILING FEE			
Large Entity Small Entity			
Fee Code Fee (\$)			
1001 770 2001 385 Utility filing fee			
1002 340 2002 170 Design filing fee			
1003 530 2003 265 Plant filing fee			
1004 770 2004 385 Reissue filing fee			
1005 160 2005 80 Provisional filing fee			
SUBTOTAL (1) (\$)		0.00	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE			
Total Claims ** =		Extra Claims Fee from below Fee Paid	
Independent Claims ** =			
Multiple Dependent			
Large Entity Small Entity			
Fee Code Fee (\$)			
1202 18 2202 9 Claims in excess of 20			
1201 86 2201 43 Independent claims in excess of 3			
1203 290 2203 145 Multiple dependent claim, if not paid			
1204 86 2204 43 ** Reissue independent claims over original patent			
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent			
SUBTOTAL (2) (\$)		0.00	
**or number previously paid, if greater; For Reissues, see above			
		Other fee (specify)	
		*Reduced by Basic Filing Fee Paid	
		SUBTOTAL (3) (\$)	
		770.00	
SUBMITTED BY		(Complete if applicable)	
Name (Print/Type) Heather Morehouse Ettinger, Ph.D.		Registration No. (Attorney/Agent) 51,658	
Signature <i>Heather Morehouse Ettinger</i>		Telephone (212) 836-3744	
		Date July 27, 2004	



Docket No.: 00630/100G703-US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:
Mark Evans et al.

Application No.: 09/924,946

Art Unit: 1652

Filed: August 8, 2001

Examiner: Y. D. Pak

For: A NOVEL MEMBER OF THE LYSYL
OXIDASE GENE FAMILY

RESPONSE TO ADVISORY ACTION

MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Advisory Action of June 30, 2004, please consider the following amendment and remarks and the accompanying Request for Continued Examination. This Response and Amendment is accompanied by a Request for Continued Examination, its required fee under 37 C.F.R. §1.17(e), and Declaration of Mark J. Evans, Marshall S. Scicchitano, Ashok R. Bapat, Ramesh A. Bhat, Robert Mastroeni, and Sotirios K. Karathanasis under 37 C.F.R. § 1.131 and its accompanying Exhibit 1, PAIR report (Tab 1).

It is believed that no fee(s) other than the fee for the Request for Continued Examination under 37 C.F.R. §1.114 is required for these submissions. However, should the U.S. Patent and Trademark Office determine that any other fee(s) is due or that any refund is owed for this

